

Planning Commission 101:

The Nuts and Bolts of Planning



League of Cities 2020: Planning Commissioners' Academy | March 3, 2020

Panelists

- » **David Early**, AICP, Senior Advisor, PlaceWorks
- » **Marc Roberts**, City Manager, City of Livermore
- » **Anders Hauge**, Planning Commissioner, Placer County

Topics

- » Source of Power to Regulate Land Use
- » General Plans
- » Zoning
- » California Environmental Quality Act (CEQA)
- » Role of the Planning Commission

Land Use Regulation

- » Arose from “good government” movements as a response to unsanitary urban conditions
- » Embodied desire to rein in private market excesses through government regulation
- » Based on local government’s Police Power:
health, safety and welfare



Key Milestones -- Nationwide

- » 1909 Los Angeles imposes first zoning ordinance limiting industrial uses (not comprehensive)
- » 1916 New York imposes first comprehensive zoning ordinance
- » 1922 Standard State Zoning Enabling Act (SZA)
- » 1926 Euclid v. Ambler – upholds constitutionality of zoning



Key Planning Milestones -- California

- » **California has long been a leader in planning and land use regulation:**
 - 1927 California passes law requiring that cities and counties have a Master Plan
 - 1928 Standard City Planning Enabling Act (SPEA)
 - Zoning and planning laws have changed faster in California than the rest of the country due to rapid growth

Land Use Regulation Today

- » **Only two plan types are defined in California law:**
 - **General Plans** lay out a jurisdiction's future development plans through a series of policy statements in text and map form
 - **Specific Plans** are a special set of development standards that apply to a particular geographical area
- » **Zoning provides detailed land use and design regulation.**
- » **Other planning documents include Master Plans, Area Plans, Vision Plans, etc., but these are not defined in the law.**

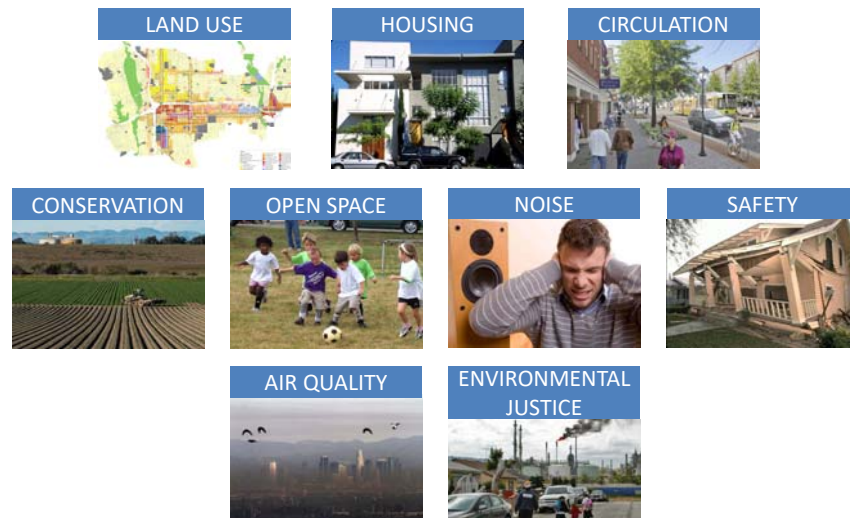
Policy Plans and Regulations



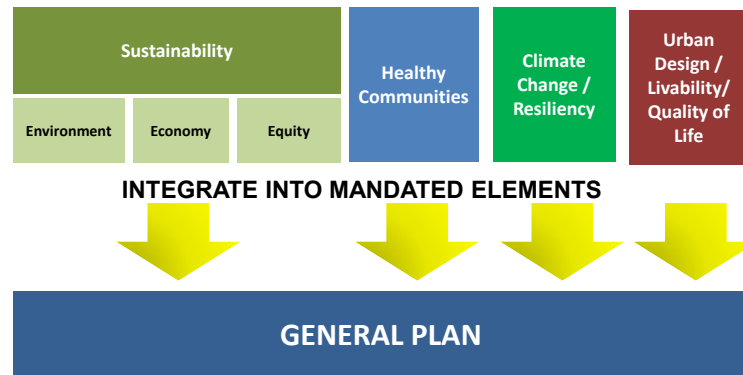
General Plans

- » Bedrock of California planning; required by State Law
- » The “constitution” for planning and development
- » Provides long-range vision for conservation and development (20-30 year horizon)
- » Basis for local land use decisions
- » Identifies important community issues
- » Promotes community participation
- » Sets the ground rules

Required General Plan Elements



Additional General Plan Topics



General Plan Content



» Vision

- Aspirational statements describing the desired, positive future for the community.
- An image of the future that the community wishes to create.
- Succinct description of community values.

» Goals

- Ideal future end that is an expression of community values. May be abstract.
- Not quantifiable or time-dependent.

» Objectives

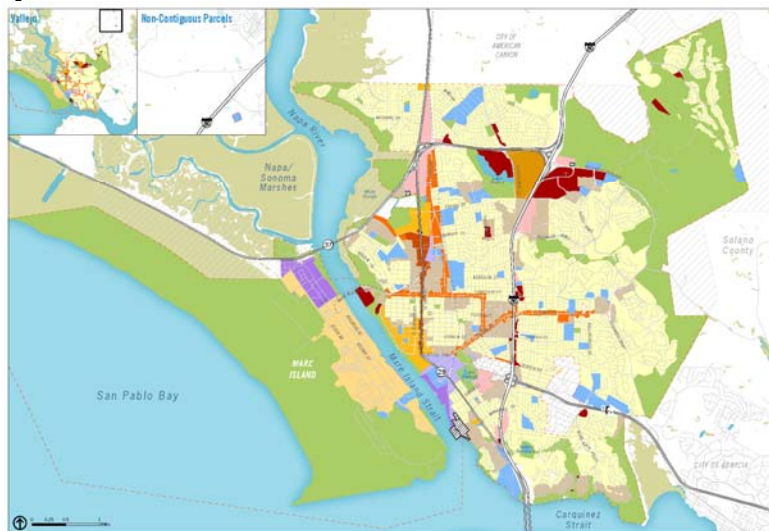
- Intermediate or achievable steps to
- Generally quantifiable, with achievement desired in a set period of time.

General Plan Content



- » **Policies**
 - Specific statement that guides decision-making.
 - Rule or measure establishing a required level of quality or quantity to be fulfilled by others.
- » **Actions (Implementation Programs)**
 - Action, procedure, program, or technique that carries out a general plan policy
- » **Indicators**
 - Measures that show whether the community is achieving its goals and objectives.

Typical General Plan Land Use Plan



General Plans – Typical Circulation Map



Housing Element

- » Updated based on schedule in State law (4 or 8 years)
- » Certified by the State's Department of Housing and Community Development
- » Annual report to the State on implementation
- » Required Contents
 - Regional Housing Needs Assessment (RHNA)
 - Housing need by income category
 - Specific sites zoned for housing at appropriate densities
 - Policies to facilitate housing development
 - Actions to remove barriers to housing production

Housing Element Law

- » **Legislature and Governor seek to address State Housing Crisis**
- » **Key legislation passed in 2017 and 2019**
 - SB 35: Requires approval of affordable projects meeting certain criteria as of right.
 - SB 330:
 - Prohibits:
 - Lessening allowed densities (“downzoning”)
 - Application of non-objective standards to housing projects
 - Housing development moratoria and growth limitations adopted after 2005
 - Sunsets in 2025.
 - Multiple other bills

SB 2 (2017)

- » **Established a permanent source of funding to increase affordable housing stock in California.**
- » **Half of 2018 funding (\$125 million) dedicated to technical assistance for local government.**
- » **2019 and onward, about \$250 million per year for housing construction.**

AB 101: 2019-2020 Budget Act



Funding

LEAP and REAP
Grant Programs



Incentives

Prohousing
Designations



Accountability

Housing Element
compliance

AB 101: LEAP / REAP Grants

» **LEAP:**

- Population less than 20,000: \$65,000 grant
- Population 20,000 to 60,000: \$150,000 grant
- Population 60,000 to 100,000: \$300,000 grant
- Population 100,000 to 300,000: \$500,000 grant
- Population 300,000 to 750,000: \$750,000 grant
- Population over 750,000: \$1,500,000 grant

» **REAP:**

- COGs, Regions and independent counties get an amount equal to the amounts received by their members

AB 101: Prohousing Communities

- » **Creates new designation for “prohousing” communities.**
 - Meet all basic housing element and fair housing requirements.
 - Implement additional prohousing policies.

- » **State will make additional funds available to communities that earn the prohousing designation.**

Zoning

- » **Ordinance that implements and is consistent with General Plan policies**

- » **Prescribes allowable land uses and development standards including:**
 - Building uses.
 - Building size (height, lot coverage and setbacks).
 - Landscaping.
 - Signs and billboards.
 - Parking requirements.
 - Other performance standards.

Zoning



» Traditional “Euclidean” Zoning

- Based on identification and separation of uses.
- Focuses on:
 - Uses
 - Intensity
 - Setbacks
 - No emphasis on building form

Form Based Zoning

- » Based on building form and design.
- » Focuses on:
 - Building design and mass.
 - Building scale, type and context.
 - Relationship of buildings to public space.
 - Design of streets and public realm.
- » Key Components
 - Building form.
 - Building frontage.
 - Building type.
 - Roadways.
 - Public spaces.
 - Architectural detail.

DEFINITION A detached home is a residential structure occupied by a single family.

Lot Dimensions

- Minimum 20 ft x 30 ft RFR area.
- 10 ft front setback.

Provision and Vehicle Access

- The main entry to a home shall be through the front yard setback.
- For homes served by an alley, vehicle access to the house shall be provided through the alley, where possible.
- Vehicle garages may be attached to or detached from the main structure.

Landscaping

- A sidewalk shall be provided from the public sidewalk to the front entry of the home.
- Minimum percentage of yard area landscaped with grass shall be 20%.
- Minimum amount of impervious surface on front and rear yard areas 10%.

Height and Scale

- Building massing shall be oriented towards the front street.
- Building massing shall be varied through techniques such as stepped eaves, low windows, dormers and other variations in roof form and varying planes or setbacks.
- Facades shall be broken into smaller composition through elements such as windows and doors, porches, heights, trim and stepped-back upper stories.
- Minimum setback of garage from primary front facade of home 3 ft.

EXHIBIT 10-10

City of Orem, Utah

California Environmental Quality Act (CEQA)

Goals

- » Inform decision-makers about environmental effects.
- » Identify ways to avoid environmental damage.
- » Prevent avoidable environmental damage.
- » Disclose to the public why a project is needed, even if it results in environmental damage.
- » Foster intergovernmental cooperation.
- » Enhance public participation in decision-making.

Purpose of Environmental Documents

- » Informational document that analyzes potential effects, tradeoffs and mitigation when considering a project.
- » Identifies potential impacts, and where possible, mitigation measures City can apply to prevent or eliminate impact.
- » Disclosure document vs. legislative document.
- » Does not prohibit a jurisdiction from adopting a project.

CEQA Documents

- » **Categorical Exemption**
 - Minor changes that do not trigger environmental review.
- » **Initial Study (IS)**
 - Determines whether the project may have a significant effect on the environment (also known as “the checklist”).
- » **Negative Declaration (ND)**
 - If project found to have no significant effect on the environment.
- » **Mitigated Negative Declaration (MND)**
 - If IS shows effect, a MND may be prepared if revisions to project plans can avoid or mitigate effects.
- » **Environmental Impact Report (EIR)**
 - If IS identifies potential significant effects that cannot be eliminated through redesign.

Role of the Planning Commission

- » **Creation of Plans and Regulations**
- » **Plan and Regulation Amendment**
- » **Implementation (Project Review and Approval)**



Planning Commission 101: The Nuts and Bolts of Planning



League of Cities 2020: Planning Commissioners' Academy | March 3, 2020